

SECOND AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 22 2003

Returned to applicant for correction JAN 12 2004

Corrected application filed MAY 27 2004

Map filed MAY 27 2004

The applicant **Sarah Katherine Brown** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit No. 28201, Certificate No. 8787**

1. The source of water is **underground**
2. The amount of water to be changed **3 acre feet 0.012 CFS**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T20S, R53E MDB&M Nye County Nevada and being Lot 5 Block 4 of Green Bee Ranchos File No. 67077 Nye County Records or at a point from which the NW corner of said Section 7 bears N 66° 11' 53" W a distance of 2446.80 feet**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T21S, R53E, MDB&M Nye County Nevada or at a point from which the SE Section corner of said Section 14 bears S 36° 36' 34" E a distance of 407.87 feet.**
7. Proposed place of use **portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T20S, R53E, MDB&M Nye County Nevada and being Lot 5 of Block 4 of Green Bee Ranchos, File No. 67077 Sheet 2 of 2 Nye County Records. 9.25 acres to be used.**
8. Existing place of use **portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T21S, R53E, MDB&M Strip 3 acre feet.**
9. Use will be from **January 1 st to December 31 st** of each year.
10. Use was permitted from **January 1 st to December 31 st** of each year.
11. Description of proposed works **Drilled well and appertance (Existing)**
12. Estimated cost of works **\$5000.00**
13. Estimated time required to construct works **1 year (See item 11.)**

14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks:

By Charles L Thomsen
s/ Charles L Thomsen
P.O. Box 2146
Pahrump Nv 89041-2146

Compared sc/cmf dl/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 28201, Certificate 8787 is issued subject to the terms and conditions imposed in said Permit 28201, Certificate 8787 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Permit 70701 is granted for the irrigation of 0.6 acres within the described place of use, being Nye County Assessor's Parcel (APN) 36-572-05.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.012 cubic feet per second, and not to exceed 3.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 27, 2006

Proof of completion of work shall be filed on or before:

July 27, 2006

Water must be placed to beneficial use on or before:

June 27, 2009

Proof of the application of water to beneficial use shall be filed on or before:

July 27, 2009

Map in support of proof of beneficial use shall be filed on or before:

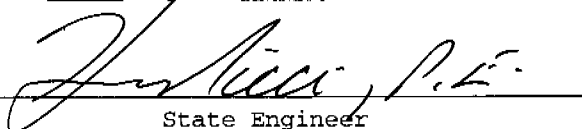
July 27, 2009

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of June, A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____